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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,420	09/02/2004	Hideo Kawakami	71912-012	8398

7590 03/22/2006  
McDermott Will & Emery  
600 13th Street, N W  
Washington, DC 20005-3096



EXAMINER
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SPAHN, GAY

ART UNIT	PAPER NUMBER
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3673

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/506,420	KAWAKAMI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gay Ann Spahn	3673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, and 8 is/are rejected.
- 7) ☒ Claim(s) 1-4, 7, and 8 is/are objected to.
- 8) ☒ Claim(s) 1-8 are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02 September 2004</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Election/Restrictions - Election of Species***

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I - Fig. 9;

OR

Species II - Fig. 12.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims are deemed to correspond to the species listed above in the following manner:

Species I (Fig. 9): claims 1-4, 7, and 8;

OR

Species II (Fig. 12): claims 1-3, and 5-8.

The following claim(s) are generic: independent claim 1-3, 7, and 8.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons:

Species I (Fig. 9) has the special technical feature of a load applying unit in the form of a compression spring (SP1L or SP1R);

OR

Species II (Fig. 12) has the special technical feature of a load applying unit in the form of a cylinder and reciprocable piston having a compression spring inside of the cylinder.

During a telephone conversation with Arthur J. Steiner on February 24, 2006 a provisional election was made with traverse to prosecute the invention of Species I (i.e., Fig. 9), claims 1, 4, 7, and 8. Affirmation of this election must be made by applicant in replying to this Office action. Claims 5 and 6 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected species.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 02 September 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

The examiner notes that on the Information Disclosure Statement (PTO-1449), Applicant has listed the first reference under the "Foreign Patent Documents" (i.e., JP 9-512467) as being accompanied by a translation of the claims. However, this has been lined through by the examiner because the computer translation of claims which accompanied the reference was of claims not pertaining to the subject matter of the reference (i.e., the reference is clearly about a bed and the translated claims concern a "Heat Treatment Step and Step Which Purifies Haze Which Occurred by this Heat Treatment on Lower Stream of a River . . .".

***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the

- (1) "predetermined angle range" recited in claims 1-3,
- (2) "tilt angle" in claims 1 and 2, and

(3) "predetermined tilt angle" in claim 5,

must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "M1" has been used to designate both "actuator" (beginning on page 14, line 5) and "rotational moment" (beginning on page 26, line 16). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to

the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to because:

(1) in Fig. 3, section line "A-A" should be changed to --4A/4B-4A/4B-- and section line "B-B" should be changed to --5A/5B-5A/5B-- since 37 CFR § 1.84(h)(3) requires section lines be designated with Arabic or Roman numerals indicating in which view the cross-sectional view can be found;

(2) the arrows shown in Fig. 5B (see right-hand side of figure), Fig. 9 (upper right-hand corner of figure), and Fig. 10 (left-hand side of figure above reference numeral "200") should be labeled with a reference numeral in order to explain what they represent.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Figures 13A, 13B, and 13C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:



(1) reference characters "360L" and "361L" in Fig. 9; and

(2) reference characters "28R" and "28L" in Fig. 11A.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it is not in narrative format (i.e., each of the two sentences being long run-on sentences similar to claim format, instead of short, concise, direct sentences). Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities:

(1) page 7, line 17, after stage", the words --taken along line 4A/4B-4A/4B of Fig. 3-- should be inserted;

(2) page 7, line 19, after stage", the words --taken along line 5A/5B-5A/5B of Fig. 3-- should be inserted;

(3) page 13, line 11, "A-A" should be changed to --4A/4B-4A/4B--;

(4) page 14, line 14, "B-B" should be changed to --5A/5B-5A/5B--; and

(5) page 26, line 18, "on lowers elevation unit 35L" is grammatically incorrect and needs to be reworded.

Appropriate correction is required.

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Objections***

Claims 1-4, 7, and 8 are objected to because of the following informalities:

(1) page 39, line 1, the word "CLAIMS" should be replaced with --We claim:--,

--The invention claimed is:--, or equivalent (see the Manual of Patent Examining Procedure (MPEP) § 608.01(m) entitled Form of Claims, First Paragraph, Third Sentence).

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4, 7, and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 8-9, the recitation of "the tilt angle" is vague, indefinite, and confusing as lacking antecedent basis since no "tilt angle" has been previously introduced in the claim.

Claim 1, line 11, the recitation of "the other load type" is vague, indefinite, and confusing as lacking antecedent basis and the examiner suggests amending to recite --the other one of the compression load or the tension load--.

Claim 2, line 2, the recitation of "a tilt angle" is vague, indefinite, and confusing as lacking antecedent basis since it is not clear if this is the same tilt angle as recited in lines 9-10 of claim 1 or a different tilt angle.

Claim 2, line 3, the recitation of "the tilt operation" is vague, indefinite, and confusing as lacking antecedent basis and the examiner suggests amending line 7 of claim 1 to change "operation" to --a tilt operation--.

Claim 5, line 7, the recitation of "a predetermined tilt angle" is vague, indefinite, and confusing as lacking antecedent basis since it is not clear if this is the same tilt angle as recited in lines 9-10 of claim 1 or a different tilt angle.

Claim 6, line 2, the recitation of "a compression spring" is vague, indefinite, and confusing as lacking antecedent basis since it is not clear if this is the same compression spring as recited in line 4 of claim 5 or a different compression spring.

Claim 6, line 3, the recitation of "the tilting operation" is vague, indefinite, and confusing as lacking antecedent basis and the examiner suggests amending line 7 of claim 1 to change "operation" to --a tilt operation-- and "the tilting operation" to --the tilt operation--.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Krywicznanin (U.S. Patent Application Publication No. 2003/0145382).**

**As to claim 1, Krywicznanin discloses an adjustable bed (10) comprising:**

a laterally tiltable platform (20);

a tilt mechanism (drive system as described in paragraph no. [0054] and either cable carrier 148 or flexible PCB 252 for supplying direct electrical connection between non-rotating base frame 16 and rotating patient support platform 20) adapted to tilt the platform (20) laterally; and

a load-applying unit (Figs. 10 and 11) adapted to apply, in a state in which the platform is tilted within a predetermined angle range during operation of the tilt mechanism, a load to the platform in a direction that suppresses an expansion of the tilt angle, so as to prevent one of a compression load and a tension load exerted on the tilt mechanism by the platform from reversing to the other load type.

**As to claim 2, Krywicznanin discloses the adjustable bed (10) of claim 1 as discussed above, and Krywicznanin also discloses that the predetermined angle range includes a tilt angle at which a gravitational center of the platform (20) during the tilt operation traverses a vertical line containing a rotational center of the platform (20) with the load-applying unit in a non-operational state.**

The examiner notes Applicants' discussion (beginning on page 26, line 11 of the specification) of the "resultant W of the gravitational forces of bed frame 10, adjustable stage 20 and the care recipient." It appears that Applicants are attempting to claim the intended effect of the bed as being dependent upon the combination of the weight of the

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bed frame, the weight of the adjustable stage, and the person's (i.e., care recipient's) weight and this is improper since a person or a care recipient cannot be claimed in an apparatus/product/article of manufacture claim. Thus, it is the examiner's position that the bed of Krywicznanin would produce the same intended effect dependent upon where on the bed the care recipient is positioned (i.e., in the middle of the bed or with his/her weight centered at the left or right edges of the bed).

As to claim 3, Krywicznanin discloses the adjustable bed (10) of claim 1 as discussed above, and Krywicznanin also discloses that the predetermined angle range is from 30 degrees to 90 degrees inclusive, with reference to the platform (20) in a horizontal state.

The examiner notes Applicants' discussion (beginning on page 26, line 11 of the specification) of the "resultant W of the gravitational forces of bed frame 10, adjustable stage 20 and the care recipient." It appears that Applicants are attempting to claim the intended effect of the bed as being dependent upon the combination of the weight of the bed frame, the weight of the adjustable stage, and the person's (i.e., care recipient's) weight and this is improper since a person or a care recipient cannot be claimed in an apparatus/product/article of manufacture claim. Thus, it is the examiner's position that the bed of Krywicznanin would produce the same intended effect dependent upon where on the bed the care recipient is positioned (i.e., in the middle of the bed or with his/her weight centered at the left or right edges of the bed).

As to claim 4, Krywicznanin discloses the adjustable bed (10) of claim 1 as discussed above, and Krywicznanin discloses that the load-applying unit (Figs. 10 and 11) is constituted from a tension spring (136).

As to claim 7, Krywicznanin discloses the adjustable bed (10) of claim 1 as discussed above, and Krywicznanin also discloses that the tilt mechanism includes an elevation unit (rings 22 and 24) disposed on either side of the platform (20), in order to elevate the platform (20) up and down, and the platform (20) is tilted laterally by driving one of the elevation units.

It is the examiner's position that only one of the rings (22 or 24 - not both) would have to be driven in order to elevate the platform (and the other would simply rotate therewith).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art disclosed on page 1, line 11 through page 4, line 12 of the specification and shown in Figs. 13A, 13B, and 13C (hereinafter referred to as "Applicants' Admitted Prior Art") in view of Gustafson (U.S. Patent No. 4,344,195).

**As to claim 1, Applicants' Admitted Prior Art discloses an adjustable bed comprising:**

**a laterally tiltable platform (1015);**

**a tilt mechanism (either 1035 L or 1035R) adapted to tilt the platform (1015)**

**laterally.**

However, Applicants' Admitted Prior Art fails to explicitly disclose a load-applying unit adapted to apply, in a state in which the platform is tilted within a predetermined angle range during operation of the tilt mechanism, a load to the platform in a direction that suppresses an expansion of the tilt angle, so as to prevent one of a compression load and a tension load exerted on the tilt mechanism by the platform from reversing to the other load type.

Gustafson a load-applying unit (either of springs 21 or 22 on pivot arm mechanism 14) adapted to apply, in a state in which the platform is tilted within a predetermined angle range during operation of the tilt mechanism, a load to the platform in a direction that suppresses an expansion of the tilt angle, so as to prevent one of a compression load and a tension load exerted on the tilt mechanism by the platform from reversing to the other load type.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the adjustable bed of Applicants' Admitted Prior Art by including a load-applying unit as taught by Gustafson in order to balance the mass of the platform as it is tilted.



**As to claim 2,** Applicants' Admitted Prior Art in view of Gustafson discloses the adjustable bed of claim 1 as discussed above, and Applicants' Admitted Prior Art also discloses that the predetermined angle range includes a tilt angle at which a gravitational center of the platform during the tilt operation traverses a vertical line containing a rotational center of the platform with the load-applying unit in a non-operational state.

**As to claim 3,** Applicants' Admitted Prior Art in view of Gustafson discloses the adjustable bed of claim 1 as discussed above, and Applicants' Admitted Prior Art also discloses that the predetermined angle range is from 30 degrees to 90 degrees inclusive, with reference to the platform (1015) a horizontal state.

**As to claim 4,** Applicants' Admitted Prior Art in view of Gustafson discloses the adjustable bed of claim 1 as discussed above, and Gustafson discloses that the load-applying unit is constituted from a tension spring (either 21 or 22).

**As to claim 7,** Applicants' Admitted Prior Art in view of Gustafson discloses the adjustable bed of claim 1 as discussed above, and Applicants' Admitted Prior Art also discloses that the tilt mechanism (either 1035L or 1035R) includes an elevation unit (either 1035L or 1035R) disposed on either side of the platform (1015), in order to elevate the platform (1015) up and down, and the platform (1015) is tilted laterally by driving one of the elevation units (either 1035L or 1035R).

**As to claim 8,** Applicants' Admitted Prior Art in view of Gustafson discloses the adjustable bed of claim 7 as discussed above, and Applicants' Admitted Prior Art also discloses that the platform (1015) is placed on a support base (1032) via a roller (either

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1202 or 1203) disposed on either side of the platform (1015), and when one side of the platform (1015) is raised by the elevation unit (either 1035L or 1035R) corresponding to the side, the roller (either 1202 or 1203) on the other side rolls over the support base (1032) toward the side being raised, and the platform (1015) tilts with a center of the roller (either 1202 or 1203) on the other side as a rotational center.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Various configurations of adjustable beds are disclosed in: U.S. Patent No. 6,385,801 to Watanabe et al.; U.S. Patent No. 4,152,795 to Rodasta et al.; U.S. Patent No. 4,685,159 to Oetiker; U.S. Patent No. 4,071,916 to Nelson; U.S. Patent No. 6,908,154 to Aono; U.S. Patent No. 6,691,347 to Hand et al.; U.S. Patent Application Publication No. 2005/0273932 to Horlin; U.S. Patent No. 3,748,666 to Seng; and U.S. Patent No. 6,691,348 to Plummer et al.

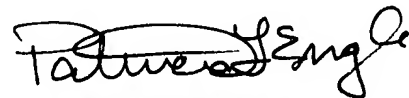
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gay Ann Spahn whose telephone number is (571)-272-7731. The examiner can normally be reached on Monday through Thursday, 8:30 am to 7:00 pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

<sup>GAS</sup>  
Gay Ann Spahn, Patent Examiner  
March 14, 2006



PATRICIA L. ENGLE  
PRIMARY EXAMINER  
Art Unit 3673

DT05 Rec'd PCT/PTO 02 SEP 2004

**SHEET 1 OF 1**

INFORMATION DISCLOSURE CITATION IN AN APPLICATION						ATTY. DOCKET NO. <b>71912-012</b>		SERIAL NO. <b>Not yet assigned-</b> <i>10/506,420</i>		
(PTO-1449)						APPLICANT <b>Hideo KAWAKAMI, et al.</b>				
						FILING DATE <b>September 02, 2004</b>		GROUP <i>3673</i> <b>Not yet assigned-</b>		
U.S. PATENT DOCUMENTS										
EXAMINER'S INITIALS		CITE NO.	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document			Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
			US							
			US							
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EXAMINER'S INITIALS		CITE NO.	Foreign Patent Document Country Codes - Number & Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document			Pages, Columns, Lines Where Relevant Figures Appear	Translation	
								Yes	No	
GAS			JP 8-512467	12/16/1997	PROBED MEDICAL TECHNOLOGIES INC				JAPAN <del>(w/Translation of Claims)</del>	
GAS			WO 95/29859	11/09/1995	PROBED MEDICAL TECHNOLOGIES INC				X	
GAS			JP 83-176434	11/16/1988	NISAKU SATO				JAPAN (w/English Translation)	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)										
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<b>Notice of References Cited</b>	Application/Control No. 10/506,420	Applicant(s)/Patent Under Reexamination KAWAKAMI ET AL.	
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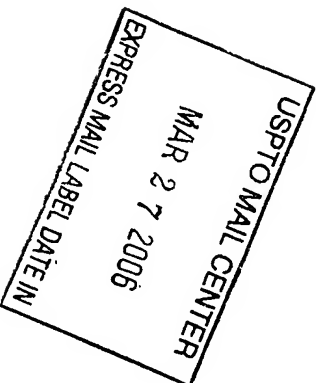
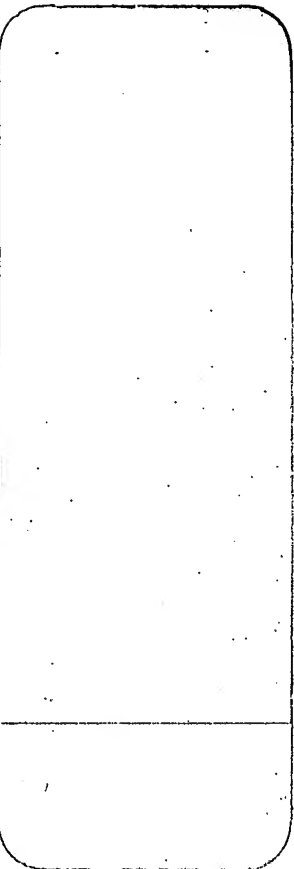
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